

ZONING CHANGE REVIEW SHEET

C5
1

CASE: C14-2010-0090 909 Congress

P. C. DATE: 09-14-2010

ADDRESS: 907, 909 & 911 Congress Avenue

AREA: 0.25 acres

APPLICANT: Dalton Wallace

AGENT: Mucsch, Hardt, Kopf & Harr, P.C.
(Robert Kleeman)

NEIGHBORHOOD PLAN AREA: Downtown

CAPITOL VIEW: Yes

T.I.A.: Waived – See the Transportation Reviewer's comment's.

HILL COUNTRY ROADWAY: No

WATERSHED: Town Lake

DESIRED DEVELOPMENT ZONE: Yes

ZONING FROM: CBD – Central Business District & CBD-H – Central Business District, Historic Landmark.

ZONING TO: CBD-CURE – Central Business District – Central Urban Redevelopment District. CBD-H-CURE – Central Business District – Historic Landmark-Central Urban Redevelopment District.

SUMMARY STAFF RECOMMENDATION:

The staff recommendation is to grant CBD-CURE – Central Business District – Central Urban Redevelopment District and CBD-H-CURE – Central Business District – Historic Landmark-Central Urban Redevelopment District with the condition that the Congress Avenue Overlay only be modified by reducing the setback from the required sixty feet (60') to forty feet (40') and to maintain the maximum height of ninety feet (90').

PLANNING COMMISSION RECOMMENDATION:

DOWNTOWN COMMISSION RECOMMENDATION:

The Downtown Commission at their regularly scheduled meeting on August 18, 2010, voted to take no action on the case.

DESIGN COMMISSION RECOMMENDATION:

The Design Commission at their regularly scheduled meeting on August 18, 2010, voted to approve a draft letter with the following modifications made by R. Weiss and 2nd by J. Wiginton and was approved on a vote of [4-1] [J. Cotera absent].

- The Design Commission is in favor of and supports mid-block development in the Downtown Austin area;
- Design Commission is specifically in support of the following:
 - A 10-foot setback above the historical structures to a height of 90 feet;

- A 34 feet total setback;
- The project shall be in accordance with the Urban Design Guidelines for Austin, specifically Guideline B5- Control On-site Parking on Page 74 of these same guidelines;
- We consider active uses in lieu of parking in the street façade from floors 2-6 (as specified in Guideline B5) to be a public benefit that would garner our support for relaxation of the Congress Avenue Overlay Setback. Without satisfaction of this guideline, the Design Commission is not willing to support a 34-foot setback; and
- The project shall, to the greatest extent possible, conform to the principles and guidelines of the Downtown Austin Plan at the time that site plan permitting and building permitting is sought by the applicant or future owner.

A substitute motion made by J. Shieh and 2nd by B. Whatley to modify the Congress Avenue Overlay setback to 40 feet failed and the original motion was approved.

DEPARTMENT COMMENTS:

The applicant is requesting a modification to Section 25-2-643, the Congress Avenue Overlay. The Congress Avenue Overlay requires that all new construction on Congress Avenue be a minimum of thirty feet (30') high and a maximum of ninety feet (90') high for the first sixty feet (60') back from Congress Avenue. After the required sixty foot (60') setback, the structure may go up as high as the Floor-to-Area-Ratio (FAR) will allow for the property.

The applicant is requesting to modify the Congress Avenue Overlay by reducing the setback from the required sixty feet (60') to thirty four feet (34') and to increase the height from the maximum of ninety feet (90') to one hundred thirty two feet (132'). This request would be reducing the setback from Congress Avenue by twenty six feet (26') and increase the maximum height by forty two feet (42').

The staff recommendation is to allow the Congress Avenue Overlay to be modified by reducing the setback from the required sixty feet (60') to forty feet (40') and to maintain the maximum height of ninety feet (90'). The staff recommendation would be in keeping with past requests to modify the Congress Avenue Overlay by other property owners.

BASIS FOR RECOMMENDATION:

1. *Granting of the request should result in an equal treatment of similarly situated properties.*

Granting the staff recommendation would be in keeping with granting similar requests to modify the Congress Avenue Overlay in the past.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	CBD	Vacant Building
NORTH	CBD	Office building
SOUTH	CBD	Office Building
EAST	CBD-H	Office Building
WEST	CBD/CBD-H	Office/Restaurant

C5₃

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-01-0029	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-1]	Approved CBD-CURE [Vote: 7-0]
C14-06-0071	From CBD-CURE to CBD-CURE	Approved CBD-CURE [Vote: 8-0]	Approved CBD-CURE [Vote: 5-0]
C14-06-069	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-0]	Approved CBD-CURE [Vote: 5-0]
C14-08-0143	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-1]	Approved CBD-CURE [Vote: 7-0]
C14-08-0144	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-0]	Approved CBD-CURE [Vote: 5-0]
C14-09-0079	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-0]	Approved CBD-CURE [Vote: 5-0]

NEIGHBORHOOD ORGANIZATION:

- Homeless Neighborhood Assn.
- Downtown Austin Neighborhood Coalition
- Pecan Street Owner's Association
- Downtown Austin Alliance
- Austin Warehouse District Association
- Old Pecan Street Association
- Sentral Plus East Austin Koalition
- Austin Neighborhood Council
- Downtown Austin Neighborhood Association

SCHOOLS:

Matthews Elementary School
O' Henry Middle School
Austin High School

SITE PLAN:

1. A Capitol View Corridor extends the entire length of Congress Avenue to 11th Street; South Congress at East Live Oak Capitol View Corridor. A CVC determination will be required at the time of site plan submittal.
2. Any new development is subject to Subchapter E. Design Standards and Mixed Use, except where Great Streets regulations would supersede. Additional comments will be made when the site plan is submitted.

C5
1
4

ENVIRONMENTAL:

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Town Lake Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

TRANSPORTATION:

TR1. A traffic impact analysis may be required at the time of site plan application if the proposed development exceeds the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113].

TR2. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Congress Ave	120'	60'	Arterial	Yes	No	Yes

CITY COUNCIL DATE: October 14th, 2010

ACTION:

ORDINANCE READINGS:

1ST

2ND

3RD

ORDINANCE NUMBER:

CASE MANAGER:

Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691

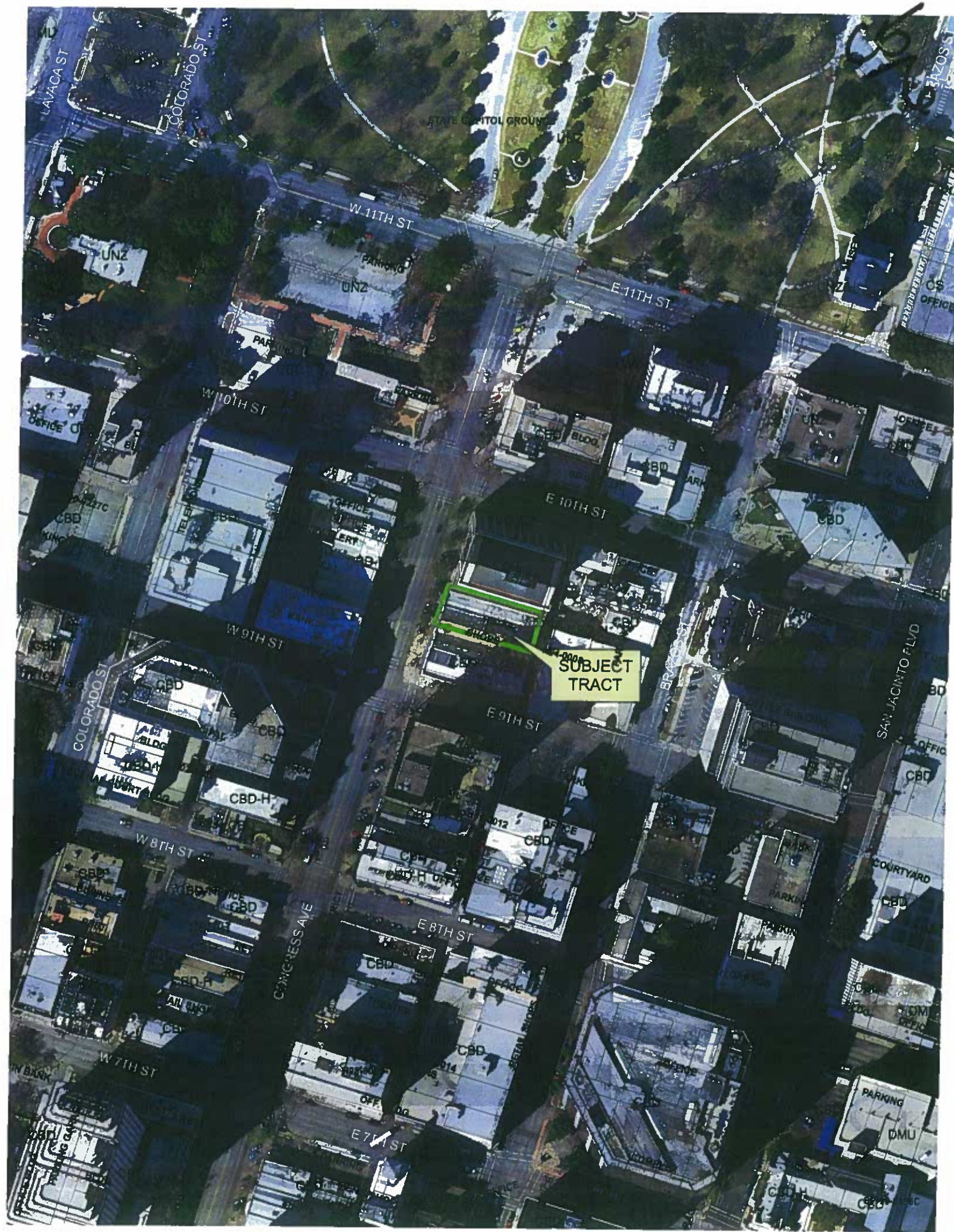
C5/5

 $1'' = 200'$

ZONING

ZONING CASE#: C14-2010-0090
LOCATION: 907, 909 & 911 CONGRESS AVE
SUBJECT AREA: 0.25 ACRES
GRID: J22
MANAGER: CLARK PATTERSON

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





909 CONGRESS AVENUE

© 2010 HKS AUSTIN, TX

#13159

Massing with Restrictions and Setbacks

11 JUNE 2010

7/5 C5